

**WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP**

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Theresa B. Marangas  
Partner

April 12, 2012

**Via ECF and Facsimile**

Hon. James C. Francis  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312

**MEMO ENDORSED**

USDS
DOC #
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DATE FILED: 4/12/12

**RE: Garcia v. Residence Inn by Marriott Fishkill, et al.**  
**Our File No. 00805.00076**

11 Civ. 5861 (RMB)

Dear Magistrate Francis:

Wilson, Elser represents the defendants in the above personal injury action. Kindly accept this correspondence as a joint request for an adjournment of the discovery deadline of April 19, 2012. The parties also respectfully request an adjournment of the Settlement Conference currently scheduled for May 15, 2012 with the Honorable Richard M. Berman. The parties previously applied for an extension of the discovery deadline and adjournment of the Settlement Conference which was granted by Judge Berman.

On March 7, 2012 a telephonic conference was held with Your Honor to address plaintiff's failure to furnish necessary written discovery responses. Today the parties conducted a "meet and confer" conference call and agreed that a joint request would be submitted for an extension of the current court ordered discovery deadline. Plaintiff has represented that the outstanding paper discovery will be served within the near future.

Kindly approve the new discovery deadline of June 19, 2012. If convenient for the Court, the parties will appear for a Settlement Conference on July 26, 2012.

Thank you for your time and attention to this matter.

Respectfully submitted,

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

*Theresa B. Marangas*  
Theresa B. Marangas

680304.1

Application granted. Counsel should contact Judge Berman's chambers to reschedule the conference with him.

4/12/12  
SO ORDERED  
James C. Francis IV  
USMJ

April 12, 2012  
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cc: Bruce A. Schonberg, Esq. (*via facsimile*)  
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